

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In Re Patent Application of: |) | |
| |) | Examiner: Mohamed Charioui |
| Curtis A. Vock |) | |
| |) | Group Art Unit: 2857 |
| Appln. No. 09/607,678 |) | |
| |) | Confirmation No.: 1240 |
| Filed: June 30, 2000 |) | |
| |) | Atty. Dkt. No. 215127.01044 |
| For: EVENT AND SPORT PERFORMANCE |) | |
| METHODS AND SYSTEMS |) | |

REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT

Commissioner for Patents
U.S. Patent and Trademark Office
Alexandria, VA 22313

Sir:

This is a request to review and recalculate the Patent Term Adjustment (PTA). Applicants authorize the Office to charge the fee of \$200 required by 37 CFR 1.18(e), as well as any additional required fees, to Deposit Account No. 19-0733.

We believe that the correct patent term adjustment should be 88 days. An adjustment is sought for the 84 day period ending on March 24, 2010 allegedly attributable to Applicants' delay. The instant patent is not subject to a terminal disclaimer. Applicants are unaware of any circumstances constituting a failure to engage in reasonable efforts to conclude processing or examination of this application as set forth in § 1.704.

Applicants submit that an additional 84 days of PTA should be awarded. According to Public Pair, the patent term adjustment history indicates that 84 days of delay are attributed to completion of drawings. *See* excerpt below. Applicants did not submit a drawing between when

the Notice of Allowance was mailed on January 29, 2010, and March 24, 2010, the date on which Public PAIR indicates that the drawings were finished. Moreover, the Office Action mailed June 8, 2009 indicates that the figures filed June 30, 2000 are accepted by the examiner. Thus, the entire 84 delay appears to be wholly attributable to the Office, and not to Applicants. Applicants therefore respectfully request issuance of a certificate of correction awarding a total of 88 days of patent term adjustment.

| Patent Term Adjustment History | | | |
|---------------------------------------|--|------------------|-------------------|
| Date | Contents Description | PTO(Days) | APPL(Days) |
| 09-07-2008 | PTA 36 Months | 69 | |
| 06-15-2010 | Patent Issue Date Used in PTA Calculation | | |
| 05-05-2010 | Dispatch to FDC | ⌘ | |
| 05-03-2010 | Application Is Considered Ready for Issue | ⌘ | |
| 04-29-2010 | Issue Fee Payment Verified | ⌘ | |
| 04-29-2010 | Issue Fee Payment Received | ⌘ | |
| 03-24-2010 | Workflow - Drawings Finished | | 84 |
| 03-24-2010 | TC Return to Pubs | | ⌘ |
| 03-05-2010 | TC Return to Pubs | | ⌘ |
| 03-05-2010 | Mail Miscellaneous Communication to Applicant | | ⌘ |
| 03-01-2010 | Miscellaneous Communication to Applicant - No Action Count | | ⌘ |
| 02-05-2010 | Pubs Case Remand to TC | | ⌘ |
| 01-29-2010 | Mail Notice of Allowance | | ⌘ |
| 01-27-2010 | Document Verification | | ⌘ |
| 01-12-2010 | Examiner Interview Summary Record (PTOL - 413) | | ⌘ |
| 01-27-2010 | Examiner's Amendment Communication | | ⌘ |
| 01-27-2010 | Notice of Allowance Data Verification Completed | | ⌘ |
| 11-15-2009 | Date Forwarded to Examiner | | ⌘ |
| 10-19-2009 | Response after Non-Final Action | | 11 |

Respectfully submitted,
BANNER & WITCOFF, LTD.

Date: August 13, 2010

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